

FILED
08 APR 21 PM 2:35
RICHARD H. WILKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 MORGAN A. TYSON
2 CB1713
3 CSP-SAN QUENTIN
4 SAN QUENTIN, CA 94964
5 PETITIONER, IN PRO SE
6
7

8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
10 SAN JOSE DIVISION
11

12 MORGAN A. TYSON,
13 PETITIONER,
14 v.
15 ROBERT L. AYER, et. al.,
16 RESPONDENTS.
17

No. C 07-5784 JF (PR)

PETITIONER'S FIRST REQUEST
FOR EXTENSION OF TIME
TO FILE A TRAVERSE TO
RESPONDENT'S ANSWER;
AND DECLARATION OF
MORGAN A. TYSON IN SUPPORT
THEREOF.

18 TO RESPONDENTS, ROBERT L. AYER, et. al., AND
19 THEIR ATTORNEY OF RECORD, STEVEN G. WARNER,
20 DEPUTY ATTORNEY GENERAL OF THE STATE OF
21 CALIFORNIA:

22 PLEASE TAKE NOTICE THAT PETITIONER MORGAN
23 A. TYSON REQUEST A THIRTY-DAY EXTENSION
24 OF THE COURT'S MAY 2, 2008 DEADLINE TO
25 ///

26 ///

1 FILE A TRAVERSE, UP TO AND INCLUDING JUNE
2 2, 2008.

3 AS EXPLAINED BY THE SUPPORTING DECLARATION
4 OF MORGAN A. TYSON, THIS EXTENSION WILL ALLOW
5 PETITIONER ADDITIONAL TIME TO CONSULT LEGAL
6 ASSISTANTS AND PREPARE THE NECESSARY LEGAL
7 ARGUMENTS TO SUPPORT THE TRAVERSE.

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9 DATED: APRIL 17, 2008

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Morgan A. Tyson
MORGAN A. TYSON,

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PETITIONER, IN PRO SE

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1 DECLARATION OF
2 MORGAN A. TYSON
3 IN SUPPORT OF REQUEST
4 FOR EXTENSION OF TIME TO
5 FILE TRAVERSE
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7 I, MORGAN A. TYSON, DECLARE AND STATE:

8 1. I AM THE PETITIONER IN TYSON V. AYERS,
9 CASE No. C07-05784JF.

10 2. I AM A LAYMAN AT LAW.

11 3. I DO NOT FULLY UNDERSTAND THE COMPLEXITIES
12 OF LAW AS ARGUED IN RESPONDENT'S ANSWER NOW
13 ON FILE WITH THIS COURT.

14 4. I HAVE SOUGHT AND GAINED ASSISTANCE
15 IN THIS MATTER FROM ANOTHER PRISONER.

16 5. I ANTICIPATE THAT AN ADDITIONAL EXTENSION
17 OF THIRTY DAYS SHOULD PROVIDE SUFFICIENT TIME
18 TO RESEARCH AND PREPARE THE TRAVERSE.

19 6. THIS EXTENSION WILL PLACE THE DEADLINE ON
20 JUNE 2, 2008.

21 7. I HAVE NOT ATTEMPTED TO CONTACT COUNSEL
22 FOR RESPONDENTS BECAUSE I AM A PRO-SE
23 PRISONER WHO DOES NOT HAVE SIMPLE ACCESS
24 TO COMMUNICATIONS THEREOF.

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1 8. FOR THESE REASONS, PETITIONER REQUEST
2 AN EXTENSION OF THE DEADLINE, UP TO AND INCLUDING
3 JUNE 2, 2008.

4 9. THIS IS THE FIRST REQUEST FOR AN
5 EXTENSION OF TIME IN THIS CASE BY PETITIONER.

6 10. THE REQUESTED EXTENSION OF TIME WILL
7 HAVE MINIMAL IMPACT ON THE SCHEDULE FOR THE
8 CASE.

9 11. THIS REQUEST IS NOT MADE FOR ANY PURPOSE
10 OF HARASSMENT, UNDUE DELAY, OR ANY IMPROPER
11 REASON.

12
13 I DECLARE UNDER PENALTY OF PERJURY
14 THAT THE FORGOING IS TRUE AND CORRECT.
15 EXECUTED AT SAN QUENTIN STATE PRISON,
16 CALIFORNIA, ON APRIL 17, 2008

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Morgan A. Tyson
MORGAN A. TYSON,
DECLARANT

DECLARATION OF SERVICE

I, MORGAN A. TYSON STATE:

IN ACCORDANCE WITH SAN QUENTIN STATE
PRISON POLICY FOR MAILING LEGAL MAIL
I PLACE A COPY OF:

PETITIONER'S FIRST REQUEST FOR
EXTENSION OF TIME TO FILE A
TRAVERSE TO RESPONDENT'S ANSWER;
AND DECLARATION OF MORGAN A. TYSON
IN SUPPORT THEREOF

IN A SEAL ENVELOPE WITH POSTAGE FULLY
PAID ADDRESSED AS FOLLOWS:

STEVEN G. WARNER
DEPUTY ATTORNEY GENERAL
455 GOLDEN GATE AVENUE, #11000
SAN FRANCISCO, CA 94102-7004

I DECLARE UNDER PENALTY OF PERJURY THAT
THE FOREGOING IS TRUE AND CORRECT, EXECUTED AT
SAN QUENTIN STATE PRISON, ON APRIL 17, 2008.

Morgan A. Tyson
MORGAN A. TYSON,
DECLARANT.

Morgan A. Tyson d-81713
S.G.S.P.
San Quentin, Ca. 94974



United States District Court
Northern District of California
450 Golden Gate Ave.
Box 36060
San Francisco, Ca. 94102

Legal mail!!

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